

**1. AUTHORITY**

The Government Information Technology Agency (GITA) shall develop, implement and maintain a coordinated Statewide plan for information technology (IT) (A.R.S. § 41-3504(A (1))), including formulation of policies to effectuate the purposes of the agency (A.R.S. § 41-3504(A (13))).

**2. PURPOSE**

To provide a basic level of privacy protection in regards to the collection, maintenance, use, and dissemination of personal information on State budget unit websites. Privacy protection pertains to both public and private sectors conducting business with the State of Arizona.

**3. SCOPE**

This applies to all budget units. Budget unit is defined as a department, commission, board, institution or other agency of the state organization receiving, expending or disbursing state funds or incurring obligations of the state including the board of regents and the state board of directors for community colleges but excluding the universities under the jurisdiction of the board of regents and the community colleges under their respective jurisdictions and the legislative or judicial branches. A.R.S. § 41-3501(2).

The Budget Unit Chief Executive Officer (CEO), working in conjunction with the Budget Unit Chief Information Officer (CIO), shall be responsible for ensuring the effective implementation of Statewide Information Technology Policies, Standards, and Procedures (PSPs) within each budget unit.

**4. POLICY**

This policy establishes that each budget unit shall develop and implement a privacy policy statement, or multiple privacy policy statements for inclusion on its website, depending on statutory and/or program requirements of the budget unit. The intent is to protect the rights of its citizens by adhering to four widely-accepted fair information practices and further requirements listed below:

**4.1. NOTICE**

As required by A. R. S. § 41-4152, budget unit websites shall provide clear and conspicuous notice of their information practices, including the following:

- a. What Services the budget unit website provides;
- b. What information is obtained from individuals online;
- c. How information is collected (directly or indirectly through cookies, log files, etc.);

- d. Whether an individual's requested data is optional or required as well as alternatives that exist should the individual choose not to supply information or proceed with the online transaction;
- e. How the budget unit uses the information;
- f. How the budget unit discloses or disseminates information to other entities or persons;
- g. Whether other entities or persons are collecting information through the budget unit's website;
- h. Relevant disclaimers;
- i. Other external links.

#### 4.2. CHOICE

Budget unit websites shall provide opt-in/opt-out precepts regarding the sharing of personal information with other parties. Such precepts shall be based on the following principles:

- a. Arizona programs increasingly interact with federal programs, local governmental organizations, and other State agencies. Each program defines how it must deal with confidential information and what protections are needed at both the State and federal level to assure delivery of benefits and services. Budget unit websites shall implement online services that provide access to such programs using "opt-in" or "opt out" provisions, depending on applicable statutes or administrative rules.
- b. Arizona programs that share information with third-party, commercial organizations due to the Freedom of Information Act, the Arizona Public Records law, or applicable State statute shall provide an "opt-out" feature on the budget unit's website. If private organization(s) are under State contract to provide benefits and services, the contracting organization shall be considered as part of the "opt-in" effort.
- c. Each budget unit shall ensure that private organizations under State contract do not disclose or disseminate confidential information to other third-party entities, unless authorized under contract and therefore considered as part of the "opt-in" effort.
- d. No budget unit shall sell, share, or otherwise disclose any information obtained by indirect means through a data collection device to any other entity or person (e.g., cookies, log files, etc.), except at the request of a law enforcement agency to conduct a lawful investigation.

#### 4.3. ACCESS

Budget unit websites shall offer an individual reasonable access to the data collected from that individual online.

#### 4.4. SECURITY

Budget unit websites shall provide reasonable steps to protect confidential information and assure information integrity. Each budget unit shall provide a

general description of its security practices without compromising the integrity of its website security measures.

4.5. BUDGET-UNIT-SPECIFIC REQUIREMENTS

Since budget units vary in their implementation of information practices, the nature of information collected, the uses to which information is put, as well as their implementation of technological developments, information practices related to this policy and *Policy P800, IT Security*, shall be defined broadly enough to provide necessary flexibility for the budget unit but yet specific enough to promulgate its statutory and program requirements.

4.6. COLLECTION OF PERSONAL INFORMATION

4.6.1. At a minimum, the home-page of each budget unit website and each webpage on which the budget unit requests or requires an individual to provide information (key public entry points) shall provide a hypertext link to display the privacy policy statement(s) of the budget unit's program (see example in Attachment A).

4.6.2. If a budget unit website requests social security numbers to provide benefits and services, the budget unit shall:

- a. Disclose the federal and/or State legal authority under which it is collecting the individual's social security number;
- b. Explain the uses that will be made of the individual's social security number; and
- c. Inform the individual that failure to provide the social security number may result in the denial of an application, benefit, or service.

4.6.3. If no federal and/or State legal authority exists for requesting social security numbers, the budget unit shall:

- a. Inform the individual that providing a social security number is voluntary;
- b. Explain the uses that will be made of the individual's social security number; and
- c. State that no adverse action will result from an individual's failure to voluntarily provide a social security number.

4.6.4. In the event of a conflict between State law and federal law regarding the disclosure of social security numbers, federal law shall prevail.

4.7. ONLINE SERVICES FOR CHILDREN

If a budget unit website provides online services directed to children under 13 years of age, the budget unit must comply with the Children's Online Privacy Protection Act (COPPA) of 1998, (P.L. 105-277; 112 STAT. 2681; 15 United States Code Sections 6501 through 7506) and 16 Code of Federal Regulations Part 312. Refer to <http://www.ftc.gov/kidzprivacy> for details.

**5. DEFINITIONS AND ABBREVIATIONS**

Refer to the PSP Glossary of Terms located on the GITA website at [http://www.azgita.gov/policies\\_standards/](http://www.azgita.gov/policies_standards/) for definitions and abbreviations.

**6. REFERENCES**

- 6.1. A. R. S. § 39-121, Arizona Public Records Law.
- 6.2. A. R. S. § 41-621 et seq., "Purchase of Insurance; coverage; limitations, exclusions; definitions."
- 6.3. A. R. S. § 41-761 et seq., "Personnel Administration."
- 6.4. A. R. S. § 41-1335 ((A (6 & 7))), "State Agency Information."
- 6.5. A. R. S. § 41-1339 (A), "Depository of State Archives."
- 6.6. A. R. S. § 41-1461, "Definitions."
- 6.7. A. R. S. § 41-1463, "Discrimination; unlawful practices; definition."
- 6.8. A. R. S. § 41-1492 et seq., "Prohibition of Discrimination by Public Entities."
- 6.9. A. R. S. § 41-2501 et seq., "Arizona Procurement Codes, Applicability."
- 6.10. A. R. S. § 41-3501, "Definitions."
- 6.11. A. R. S. § 41-3504, "Powers and Duties of the Agency."
- 6.12. A. R. S. § 41-3521, "Information Technology Authorization Committee; members; terms; duties; compensation; definition."
- 6.13. A.R.S. § 41-4151, "Definitions."
- 6.14. A.R.S. § 41-4152, "Obligations of State Agencies Obtaining Information Online."
- 6.15. A. R. S. § 44-7041, "Governmental Electronic Records."
- 6.16. Arizona Administrative Code, Title 2, Chapter 5, "Department of Administration, Personnel Administration."
- 6.17. Arizona Administrative Code, Title 2, Chapter 7, "Department of Administration Finance Division, Purchasing Office."
- 6.18. Arizona Administrative Code, Title 2, Chapter 10, "Department of Administration Risk Management Section."
- 6.19. Arizona Administrative Code, Title 2, Chapter 18, "Government Information Technology Agency."
- 6.20. Children's Online Privacy Protection Act (COPPA), Title XIII (Refer to <http://www.ftc.gov/kidzprivacy>.)
- 6.21. COPPA, Section 1303, Regulation of Unfair and Deceptive Acts and Practices in Connection with the Collection and Use of Personal Information From and About Children on the Internet.
- 6.22. COPPA, Section 1304, Safe Harbors.
- 6.23. COPPA, Section 1305, Actions by States
- 6.24. COPPA, Section 1306, Administration and Applicability of Act.
- 6.25. COPPA, Section 1307, Review.
- 6.26. COPPA, Section 1308, Effective Date.
- 6.27. Freedom of Information Act, U.S. Department of State, 5 U.S.C. § 552, as amended by Public Law No. 104-231, 110 Stat.2422.
- 6.28. Statewide Policy P100, Information Technology.

6.29. Statewide Policy P800, IT Security.

**7. ATTACHMENTS**

A. Example of a Privacy Policy Statement

## **Attachment A – Example of a Privacy Policy Statement**

### ***State of Arizona “Arizona @ Your Service” Privacy Policy Statement***

Thank you for visiting Arizona @ Your Service and reviewing our Privacy Policy Statement. Arizona @ Your Service provides a convenient “Front Door” to various information and services available from the State of Arizona by linking you to various other websites. Though this web portal does not request information from you directly, individual websites you access through the portal may request specific information from you. This statement is included to inform you solely about the information that could be collected online as a result of visiting Arizona @ Your Service itself and not as a result of following a link from Arizona @ Your Service to reach a State agency’s website or online service. All individual agency websites of the State of Arizona are required to contain a Privacy Policy Statement that describes what information is being obtained online, how that information will be used, and what steps are being taken to ensure the security of customer data. Your rights to privacy are of utmost importance to the State of Arizona in building trust and confidence when conducting business through the Internet.

### **Online Customer Service and Alternatives**

Arizona @ Your Service offers many of the services online that you might otherwise transact in person. Our goal is to provide citizens with a more convenient and efficient means in which to interact with Arizona government. If at any time you choose not to proceed with a transaction offered through the Arizona @ Your Service Portal, your choice will in no way affect your ability to receive benefits or services. If you prefer to apply for benefits or services in person, you may do so at the respective State agency providing such benefits and/or services.

### **Collection and Use of Information**

#### ***Information Collected and Stored Automatically***

Arizona @ Your Service does not use “cookies” to gather information during your visit. Individual websites you access through the portal may use “cookies,” however, and are required to define their use in the separate privacy policy located on the specific site. The web server that hosts Arizona @ Your Service does gather certain information about the visit automatically in a standard log file. This information never identifies you personally and consists of only the following items:

1. The Internet domain (for example, "xcompany.com" if you use a private Internet access account, or "yourschool.edu" if you connect from a university's domain) from which you access the website;
2. The IP address (an IP address is a number that is automatically assigned to your computer whenever you are surfing the Web) from which you access the website; and

3. The date and time of your access.

We use this information to gather statistics about the amount of use the site receives. Again, we do not automatically record information about you as an individual. This information is not shared, sold, or otherwise disseminated by Arizona @ Your Service.

Although Arizona @ Your Service does not currently use cookies, future releases will necessitate their use along with other session enhancement methods. These will be thoroughly evaluated in order to determine their benefit to both the client and the service provider before being implemented. This privacy statement will also be updated to describe exactly what information is being collected and how to disable or refuse cookies.

***Information You Provide***

Information collected from an application submitted online will be treated in the same manner as the information collected from an application submitted on a hard copy to the applicable State agency. The information you disclose to the agency (either through Arizona @ Your Service or directly) will generally become a matter of public record pursuant to A. R. S. §§ 39-121, et seq., which means that the agency may be required to divulge certain information in response to a public records request or in response to a warrant, subpoena, or other court order.

The applicable State Agency website may require that you enter personal information (e.g., your name, home address, birth date, social security number, and credit card number) when applying for certain benefits and services described on that website. Those services may also reference common infrastructure utilities that are provided by Arizona @ Your Service. These utilities provide the agency with a means to obtain specific information or to facilitate a specific functional requirement of the online transaction being requested.

As an example, Arizona @ Your Service maintains a central credit card payment interface that agencies can use as part of their online services applications. This utility will accept only the pertinent credit card authorization data necessary to validate and fulfill the purchase. The cardholder's name, credit card number, and expiration date are obtained by the utility and used only to complete the credit card payment portion of the online transaction. The data is used only for the fulfillment of the payment and is not retained by Arizona @ Your Service.

Not all agency online applications use the services of Arizona @ Your Service, nor are they required to. Please be assured that your personal information will be held in strictest confidence while Arizona @ Your Service processes your online transaction and will not be shared, sold, or otherwise disseminated to any outside person or entity, except as required or authorized by law.

Please refer to respective benefits and/or services webpages of each individual agency for disclosure of when, how, and to whom specific information will be released to third parties, as specified by A.R.S. § 41-4152 (5) and (6). If you have further questions regarding how a

State agency will use the information you submit online, please contact the applicable agency directly.

### ***Information Collected from Children***

By statute, all State agencies must comply with the Children's Online Privacy Policy Protection Act of 1998 ("COPPA"), requiring parental consent before collecting any personal information from any individual under the age of 13. The text of COPPA is available at <http://www.ftc.gov/ogc/coppa1.htm>.

### ***Security***

The State of Arizona and its consultants, as developer and manager of Arizona @ Your Service web portal, have taken several steps to safeguard the integrity of its computer systems and networks. These steps include, but are not limited to individual authentication, the security of transmitted data, security monitoring, auditing, and encryption of your information. Security methods and measures have been integrated into the design, implementation and day-to-day practices of the entire Arizona @ Your Service web portal.

### ***Other External Links Disclaimer***

Arizona @ Your Service contains links to various other websites operated by other government agencies, nonprofit organizations and private businesses. When you link to another site, you are no longer on Arizona @ Your Service and this Privacy Statement will not apply to other sites. When you link to another website, you are subject to the privacy policy of that new site. Links to websites outside of State government are offered solely for your convenience. The State of Arizona is not responsible for and has no control over the policies or content of any third-party sites.

Neither the State of Arizona, nor any agency, officer, employee, or contractor of the State of Arizona warrants the accuracy, reliability, or timeliness of any information published by this system, nor endorses any content, viewpoints, products, or services linked from this system, and shall not be held liable for any losses caused by reliance on the accuracy, reliability or timeliness of such information. Portions of such information may be inaccurate or outdated. Any person or entity that relies on any information obtained from this system does so at his or her own risk.

### **Privacy Policy Statement Is Subject To Change**

This policy may be updated or revised from time to time, so please check back with Arizona @ Your Service periodically in order to receive advance notice of any substantive changes to the manner in which the information you disclose on this website may be collected, used, or disseminated.

### **Contact Information**



To offer comments about Arizona @ Your Service, or about the information presented in this Privacy Policy, contact the Arizona @ Your Service Webmaster:

By Email: **aays@az.gov.**

By Telephone: **(602) 364-4482** By Fax: **(602) 364-4799**

By Mail: **Government Information Technology Agency (GITA)**  
**Arizona @ Your Service**  
**100 N. 15th Ave., Suite 440**  
**Phoenix, Arizona 85007**

If you choose to provide us with personal information – by filling out a form with your personal information and submitting it to us from this website – we use that information to respond to your message and to help us get you the information you have requested. We only share the information you provide with another agency if your inquiry relates to that agency, or as otherwise required by law. Moreover, we do not create an individual profile with the information you provide or give it to any private organizations. Arizona @ Your Service does not collect information for commercial marketing. Any comments collected are themselves subject to the protections of the privacy policy.

*Note: This Privacy Policy Statement is subject to change.*